IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 25.08.2006

CORAM

THE HON'BLE MR.JUSTICE P.JYOTHIMANI

Writ Petition No.27950 OF 2006

P.Kamalakannan .. Petitioner

vs.

1. Director of Public Libraries
   Anna Salai, Chennai - 2

2. District Library Officer
   Anna Salai, Chennai - 2 .. Respondents

This Writ Petition is filed under Article 226 of the Constitution of India praying for the issuance of a writ of mandamus to direct the first respondent to consider notional promotion to the petitioner in the cadre of Grade III Librarian from 1995 with reference to the rules and the orders, which were in force at that time, by considering the representation dated 27.7.2006 made by the petitioner.

For petitioner : Mr.S.Mani
For respondents : Mr.A.Edwin Prabhakar
Government Advocate

O R D E R

Learned Government Advocate takes notice for the respondents.

2. This writ petition is filed for a direction against the first respondent to consider the representation dated 27.7.2006 and pass appropriate orders for the purpose of fixation of notional seniority to the petitioner in the cadre of Grade III Librarian from 1995.

3. The case of the petitioner is that the petitioner was appointed as Record Clerk on 2.6.1994 and he was eligible for Grade III Librarian from 1995 and he was qualified for the same. However,

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by an order dated 12.3.2003, the petitioner claim was rejected and subsequently, on 29.4.2004 the petitioner was granted promotion as Grade III Librarian. In those circumstances, the petitioner made a representation to the first respondent on 27.7.2006 claiming the petitioner's promotion as Grade III Librarian from 1995 the date of which he was eligible for the same.

4. Heard the learned counsel for the petitioner and the learned Government Advocate.

5. Considering the limited scope of the prayer and without going into the merits of the case, the first respondent is directed to consider the representation of the petitioner dated 27.7.2006 in respect of granting notional promotion to the petitioner in the cadre of Grade III Librarian from 1995 and pass appropriate orders within a period of four weeks from the date of receipt of a copy of this order.

6. With the above direction, the writ petition is disposed of. No costs.

Sd/-
Asst. Registrar.

/true copy/

Sub Asst. Registrar.

To

1. Director of Public Libraries
   Anna Salai, Chennai - 2

2. District Library Officer
   Anna Salai, Chennai - 2

1 cc to Mr.S.Mani, Advocate, Sr. 38636
1 cc to the Government Pleader, High Court, Madras, Sr. 38779

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